



Appeal Decision

Site visit made on 21 August 2018

by **Richard S Jones BA (Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 September 2018

Appeal Ref: APP/E0345/W/18/3195174
Thornton Road, Reading RG30 1JY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs A Saood against the decision of Reading Borough Council.
 - The application Ref 172155, dated 29 November 2017, was refused by notice dated 29 January 2018.
 - The development proposed is a new single storey two bed bungalow.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether the proposal provides an acceptable contribution towards the delivery of affordable housing.

Reasons

Character and appearance

3. The appeal site occupies an exposed location on the corner of Thornton Road and Thornton Mews. The existing residential development in Thornton Road mainly comprises relatively short terrace rows of two storey scale, set back from the road frontage along a clear and consistent building line with the main garden space conventionally positioned to the rear. The two storey semi-detached dwellings at the rear of the site in Thornton Mews are similarly laid out with front and rear gardens.
4. I acknowledge that the Inspector for the previous appeal¹ at this site did not consider that scheme to be cramped. However, the current appeal proposal would appear uncharacteristically tightly positioned to its front and rear boundaries, materially more so than the previous scheme. Given its exposed corner position it would also be readily obvious that it would have no meaningful front or rear garden. The proposal would therefore clearly and conspicuously deviate from the predominant pattern of development with the

¹ Appeal Ref: APP/E0345/W/16/3159962

dwelling appearing awkward and cramped within its plot in relation to the existing neighbouring properties.

5. I appreciate that efforts have been made to overcome the previously refused scheme. From my reading of that appeal decision, the Inspector's concerns did not, in terms of character, relate to its two storey scale, but the harm arising from its isolated siting. In this respect, the single storey side extension at No 8 Thornton Road would now help avoid the dwelling appearing isolated from the main built form of the terrace, even though that addition has a limited influence on the overall character of the street. The dwelling would also broadly conform to the building line of the terrace whilst also providing an active frontage to Thornton Mews. Nevertheless, in my judgement, the side elevation of a detached bungalow would appear incongruous when viewed in the context of the Thornton Road street scene in particular.
6. I note that the appellant considers that being single storey the proposal would not be intrusive or dominant in the street scene. However, in an area characterised by two storey scale, a single storey dwelling would have the effect of drawing more attention to itself in this already exposed and prominent location.
7. The appellant has drawn my attention to the new detached dwellings opposite the site, one of which faces towards the appeal site. However, the scale, siting and conventional layout of those dwellings align more closely with their adjacent terraces, thereby allowing them to sit more comfortably within their respective street scenes. These factors materially differentiate those dwellings to the proposal currently before me, although I take no issue with the precedent created for a detached dwelling in this area in general terms.
8. Whilst the appellant considers there to be no architectural merit in the area, this is not a good argument in favour allowing the harm I have identified above. Similarly, although I recognise that the existing vacant appearance of the site does not positively contribute to the character and appearance of the area, this does not justify allowing the permanent harm I have described.
9. I therefore conclude on this main issue that the proposal would result in unacceptable harm to the character and appearance of the area, contrary to Policy CS7 of the Reading Borough Local Development Framework Core Strategy. This states that development should maintain and enhance the character and appearance of the area.

Affordable housing

10. Reading Borough Local Development Framework Sites and Detailed Policies Document (SDPD) Policy DM6 and the Council's Affordable Housing Supplementary Planning Document (SPD)² state that on sites of one to four dwellings a financial contribution will be made that will enable the equivalent of 10% of the housing to be provided as affordable housing elsewhere in the Borough.
11. As required by planning law³, my determination of this appeal must be made in accordance with the development plan, unless material considerations indicate

² Affordable Housing Supplementary Planning Document

³ Section 38(6) of the Town and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990.

otherwise. A material consideration of considerable importance and weight in this instance is paragraph 63 of the National Planning Policy Framework (the Framework) which states that the provision of affordable housing should not be sought for residential developments that are not major developments (10 or more dwellings).

12. Consequently there is a conflict between the national threshold relating to the provision of affordable housing in the Framework against the local thresholds set out in SDPD Policy DM6. However, the Council evidence a very high need for affordable housing in the Borough as well as challenging circumstances which justify the need for small sites to make contributions to affordable housing as an exception to national policy. The Council also make reference to a number of appeal decisions in the Borough which support this approach. Therefore, on the basis of the evidence before me, it appears that the need for the contribution would in principle satisfy the three tests in Regulation 122(2) of the CIL Regulations 2010 and the tests for planning obligations set out in the Framework.
13. The appellant has not sought to persuade me to take an alternative approach in this case. Indeed, in response to the Council's second reason for refusal, the appellant has submitted a Unilateral Undertaking which covenants to provide a £13,000 contribution to off-site affordable housing. This is based on 5% of a £260,000 gross development value of the dwelling. I note the appellant feels that the Council has made it difficult to proceed on this issue but the response from its Legal Services team is that the contribution is insufficient based on the Council's policy requirements and that the reduced sum has not been justified.
14. In this regard, SDPD Policy DM6 states that in all cases where proposals fall short of the policy target as a result of viability considerations, an open-book approach will be taken and the onus will be on the developer to clearly demonstrate the circumstances justifying a lower affordable housing contribution. In this case, I have been provided with no such justification why a 5% figure is being sought rather than the 10% policy requirement.
15. In the absence of such persuasive justification, I conclude that the proposal fails to secure an appropriate financial contribution towards the provision of affordable housing, contrary to SDPD Policy DM6 and the Council's Affordable Housing SPD.

Other matters

16. I acknowledge that the scheme would provide acceptable amenity space for future occupants as well as acceptable car parking, cycle and refuse storage. Moreover, there would be no material harm to the living conditions of neighbouring occupants. However, the absence of harm is a neutral matter in the planning balance and therefore does not weigh in favour of the proposal.
17. Nevertheless, the provision of a bungalow would contribute to the mix and supply of housing within the Borough. There would also be a benefit arising from the affordable housing contribution. However, as this relates to a single dwelling with a reduced contribution below policy requirements, such benefits would not outweigh the unacceptable harm I have found to the character and appearance of the area.

Conclusion

18. For the reasons explained, and taking all other matters into consideration, I conclude that the appeal should be dismissed.

Richard S Jones

INSPECTOR